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Committee on the Exercise of the Inalienable Rights of the Palestinian People

Summary record of the 267th meeting
Held at Headquarters, New York, on Thursday, 7 November 2002, at 10.30 a.m.

Chairman: Mr. Fall ..... (Senegal)

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The meeting was called to order at 10.40 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

United Nations International Meeting in Support of Middle East Peace

2. **Mr. Kuchinksy** (Ukraine) said that his Government had proposed that the United Nations International Meeting in Support of Middle East Peace should be held in Ukraine during the second quarter of 2003, possibly in May.

Developments in the Middle East peace process and the situation in the Occupied Palestinian Territory, including Jerusalem

3. **Mr. Al-Kidwa** (Observer for Palestine) said that the situation in Palestine and the Middle East remained very tense and was still deteriorating. Israel, the occupying Power, continued its military campaign against the Palestinian people, committing war crimes, State terrorism and systematic human rights violations. Unfortunately, media coverage of those atrocities was decreasing. At the same time, the political aspects continued to develop, with the recent establishment of a new Palestinian Government and the withdrawal of the Labour Party from the Israeli Government. The current regime in Israel was probably the worst ever. The new Minister of Defence, Mr. Shaul Mofaz, had been until recently the Chief of Staff of the Israeli Army, and had been clearly implicated many times in war crimes committed by the Israeli occupying forces. He should face trial rather than becoming a Government minister. Israeli politics was evolving towards increased extremism, oppression, use of force and hostility towards the rights of the Palestinian people. His delegation would observe with interest the outcome of the upcoming general election in Israel.

4. The Quartet, consisting of the European Union, the Russian Federation, the United States of America and the United Nations, was continuing its efforts to produce a road map for peace in the Middle East. A draft had been given to his delegation informally. He expressed reservations relating to the parts of the text which attempted to deal with the Palestinian internal situation. The Palestinian side could not accept any suggestions that would involve changing the political system or electoral law, but it remained open to other ideas that would not involve outside interference in Palestinian internal affairs. It also had serious reservations about the language used in the road map concerning settlement activities; clear and unambiguous language must be used when it came to such an important matter.

5. His delegation would continue to cooperate with the Quartet in the hope of finalizing the road map, although it was an approach to the problem which would still enable the Israeli side to torpedo the peace process at any moment, as had happened on previous occasions. The best approach would be a comprehensive one, tackling the political, economic and security dimensions simultaneously and, more important, agreeing from the outset on a final outcome providing for the existence of two States, Israel and Palestine, based on 1967 borders. Only in those circumstances would the road map be a useful document. The United Nations must play its natural role in the process, and it was for the Security Council to adopt the necessary resolution. Meanwhile, the Palestinian people viewed with great concern the current situation involving Iraq, knowing that a new war would cause serious problems in the entire region, including Palestine.

6. His delegation had been working hard to produce a new package of draft resolutions, which it had discussed with many Member States and with members of the Non-Aligned Movement at the expert level. A very important task lay ahead: to preserve the established legal and political position of the United Nations regarding all aspects of the question of Palestine. The Israeli side, sometimes supported by the United States of America, was trying to undermine that position. The battle for its preservation went beyond the Organization itself; the contrast between recent reports issued by the non-governmental organizations Human Rights Watch and Amnesty International was a classic example of how political agendas sometimes superseded legal and moral considerations. The Amnesty International report on Israeli war crimes showed that organization's great integrity; on the other hand it was hard to see how an international organization dealing with human rights, such as Human Rights Watch, could stand international humanitarian law on its head, take a completely one-sided approach, and be a clear violator of the very international law it claimed to uphold.

7. His delegation remained hopeful that the situation in the Middle East would not worsen further, and would continue to rely on the steadfastness of the Palestinian people and the support of the international community.

Consideration of draft resolutions on the question of Palestine

Draft resolutions entitled "Committee on the Exercise of the Inalienable Rights of the Palestinian People", "Division for Palestinian Rights of the Secretariat", "Special information programme on the question of Palestine of the Department of Public Information of the Secretariat" and "Peaceful settlement of the question of Palestine"

8. **The Chairman** drew attention to four draft resolutions to be submitted to the General Assembly under agenda item 35 entitled "Question of Palestine". The texts had been discussed and approved by the Bureau, which recommended them for approval by the Committee. The drafts, which had been streamlined to avoid repetition and long references to past resolutions, had been updated to reflect the recent developments on the ground and in the peace process.

9. In the draft resolution on the work of the Committee, the language of the third preambular paragraph had been amended to read: "*Recalling* the commencement of the Israeli-Palestinian negotiations, the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, and the existing agreements between the two sides, beginning with the Declaration of Principles on Interim Self-Government Arrangements of 1993, and the subsequent implementation agreements,". Paragraph 1 had been expanded to include some of the language used in paragraph 3 of resolution 56/33 and read: "*Expresses its appreciation* to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly and takes note of its annual report, including the conclusions and recommendations contained in chapter VII thereof;". Paragraph 2 incorporated much of the language used in paragraph 5 of resolution 56/33 and read: "*Requests* the Committee to continue to exert all efforts to promote the realization of the inalienable rights of the Palestinian people, to support the Middle East peace process and to mobilize international support for and assistance to the Palestinian people, and *authorizes* the Committee to make such adjustments in its approved programme of work as it may consider appropriate and necessary in the light of developments and to report thereon to the General Assembly at its fifty-eighth session and thereafter;". Paragraph 3, which corresponded to paragraph 4 of resolution 56/33, had been slightly expanded to refer to the Secretary-General, as well as to the General Assembly and the Security Council.

10. In the draft resolution entitled "Division for Palestinian Rights of the Secretariat", paragraph 6 had been modified to read: "*Requests* the Committee and the Division, as part of the observance of the International Day of Solidarity with the Palestinian People on 29 November, to continue to organize an annual exhibit on Palestinian rights in cooperation with the Permanent Observer Mission of Palestine to the United Nations, and encourages Member States to continue to give the widest support and publicity to the observance."

11. In the draft resolution on the special information programme on the question of Palestine, in addition to changes of a purely technical nature, substantive changes had been made in the fifth preambular paragraph and in paragraph 2. The fifth preambular paragraph now read: "*Recalling* the commencement of the Israeli-Palestinian negotiations, the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, and the existing agreements between the two sides, beginning with the Declaration of Principles on Interim Self-Government Arrangements of 1993, and the subsequent implementation agreements,". Paragraph 2 was slightly shorter than its counterpart in the previous year's text: "*Considers* that the special information programme on the question of Palestine of the Department is very useful in raising the awareness of the international community concerning the question of Palestine and the situation in the Middle East and that the programme is contributing effectively to an atmosphere conducive to dialogue and supportive of the peace process;".

12. In the absence of comments, he took it that the Committee wished to approve the draft resolutions on the Committee, the Division and the special information programme.

13. *It was so decided.*

14. **Mr. Al-Kidwa** (Observer for Palestine) said that the changes made to the draft resolution entitled "Peaceful settlement of the question of Palestine" followed the same logic as for the other three draft resolutions, namely to bring the text up to date, to insert language that reflected the current situation and to take into consideration the situation on the ground and the recent developments in that regard. They were designed to secure the widest possible agreement in the General Assembly. The most important substantive changes were probably in the new third preambular paragraph and the insertion in the operative part of references to the efforts by the Quartet.

15. The new third preambular paragraph, to which he had already referred, read: "*Welcoming* the affirmation by the Security Council of the vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,". The twelfth preambular paragraph read: "*Recalling* the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, and the existing agreements concluded between the two sides and the need for full compliance with those agreements". The sixteenth preambular paragraph read: "*Expressing its grave concern* over the tragic events in the occupied Palestinian territory, including East Jerusalem, since 28 September 2000 and the continued deterioration of the situation, including, inter alia, the rising number of deaths and injuries, mostly among Palestinian civilians, the deepening humanitarian crisis facing the Palestinian people, and the widespread destruction of Palestinian property and infrastructure, both private and public, including many institutions of the Palestinian Authority,". The seventeenth operative paragraph, in the draft before the Committee, read: "*Expressing its grave concern also* over the repeated incursions into Palestinian-controlled areas and the reoccupation of many Palestinian population centres by the Israeli occupying forces". That preambular paragraph was followed by an additional preambular paragraph which read: "*Emphasizing the importance* of the safety and well-being of all civilians in the whole Middle East region, and condemning all acts of violence and terror against civilians on both sides,". The penultimate preambular paragraph read: "*Gravely concerned also* over the increased suffering and casualties on both the Palestinian and Israeli sides, the loss of confidence on both sides and the dire situation facing the Middle East peace process,". The final preambular paragraph read: "*Affirming* the urgent need for the parties to cooperate with all international efforts, including the efforts of the Quartet of the United States, the Russian Federation, the European Union and the United Nations Secretary-General, to end the current tragic situation and to resume negotiations towards a final peace settlement,".

16. Turning to the operative part of the draft resolution, he said that paragraph 1 would be the same as paragraph 1 of resolution 56/36 with the addition of the words "and the necessity of intensifying all efforts to that end". It was suggested that paragraph 2 of the text before the Committee should be split into two paragraphs to read: "2. *Reaffirms also* its full support for the Middle East peace process, which began in Madrid, and the existing agreements between the Israeli and Palestinian sides and stresses the necessity for the establishment of a comprehensive, just and lasting peace in the Middle East, and welcomes in this regard the efforts of the Quartet;" and "3. *Welcomes in this regard* the Arab Peace Initiative adopted by the Beirut Summit in March 2002;". Former paragraph 3, which would become paragraph 4, read: "*Stresses also* the necessity for commitment to the vision of the two-State solution and the principle of land for peace and the implementation of Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002);". New paragraph 5 read: "*Calls upon* the concerned parties, the Quartet and other interested parties to exert all efforts and initiatives necessary to halt the deterioration of the situation and to reverse all measures taken on the ground since 28 September 2000 and to ensure a successful and speedy resumption of the peace process and the conclusion of a final peaceful settlement;".

17. New paragraph 6 reverted to a wording similar to paragraph 5 of resolution 56/36: "*Stresses* the need for: (a) the withdrawal of Israel from the Palestinian territory occupied since 1967; (b) the realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent State;". New paragraph 7 was identical to paragraph 6 of resolution 36/36.

18. New paragraph 8 read "*Urges* Member States to expedite the provision of economic, humanitarian and technical assistance to the Palestinian people and the Palestinian Authority during this critical period to help alleviate the suffering of the Palestinian people, rebuild

the Palestinian economy and infrastructure, and support the restructuring and reform of Palestinian institutions;". The final paragraph read "9. *Requests* the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, towards the attainment of a peaceful settlement of the question of Palestine and the promotion of peace in the region and to submit to its fifty-eighth session a report on these efforts and on developments on this matter."

19. He hoped that the text as modified would meet with wide agreement in the General Assembly, the changes made having largely been motivated by the need to secure such agreement.

20. **The Chairman**, in the absence of further comments, took it that the Committee wished to approve the draft resolution entitled "Peaceful settlement of the question of Palestine" with the suggestions made by the Observer for Palestine and with the other minor changes that appeared in the draft that had been circulated to the Committee and on the understanding that the Bureau, in consultation with the Observer for Palestine, might agree on further adjustments to the text.

21. *It was so decided.*

The meeting rose at 11.50 a.m.